

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

FERDINAN MELENDEZ,

Plaintiff,

v.

**WEST AMERICAN
INSURANCE COMPANY
and TIMOTHY PITCHER,**

Defendants.

No. 02-CV-0558-DRH

ORDER

HERNDON, District Judge:

Pending before the Court is Plaintiff's motion to dismiss the Third Amended Complaint against Defendant West American Insurance Company, *instanter* (Doc. 51). Plaintiff also requests leave to file a Fourth Amended Complaint. Said motion is **GRANTED**. The Court **DISMISSES with prejudice** Western American Insurance Company. Further, the Court **ORDERS** Plaintiff to file his Fourth Amended Complaint *instanter*.

IT IS SO ORDERED.

Signed this 12th day of July, 2005.

/s/ David RHerndon
United States District Judge